



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Date: November 19, 2012

To: Thomas J. Bonfield, City Manager

Through: Keith Chadwell, Deputy City Manager

From: Steven L. Medlin, AICP, Planning Director

Subject: Coordinated Annexation Agenda Item for –Brier Creek Townes

Executive Summary. A request for utility extension agreement (EA), voluntary annexation, and initial zoning has been received from Pulte Homes for the Brier Creek Townes development has been made. The site is located on the south side of Andrews Chapel Road (please see Attachment 3B for a project area context map).

The applicant in this case has requested an initial zoning designation of Rural Residential (RR), which would allow up to 42 single-family houses. The proposed use of the site is 231 townhome units, which would require approval of a zoning map change at a later date. Because a portion of this site is in Wake County, the Durham Planning Commission cannot hold a public hearing on the zoning map change until the property is annexed by the City. The current County zoning (RR – County jurisdiction) and City of Raleigh zoning (R-4) would allow approximately 33 single-family houses on well and septic systems.

This memorandum provides a coordinated agenda item for the above-referenced requests, pursuant to the coordinated annexation policy adopted by Council October 15, 2012.

Three separate motions from Council are required by law to approve the utility extension agreement, voluntary annexation petition, and initial zoning.

Alternatives and Recommendation. Council has two alternatives:

Alternative 1) **Recommended Alternative:** Approve the EA, voluntary annexation agreement and initial zoning.

Alternative 2) Deny the EA and voluntary annexation agreement. No action would be required or authorized on the initial zoning.

Issues and Analysis. This request involves three separate items: utility extension agreement (EA), voluntary annexation, and initial zoning.

Utility Extension Agreement

Under Alternative 1, water service would be provided by extending approximately 4,600 linear feet of 8-inch ductile iron pipe (DIP) waterline from an existing waterline. Sewer service would

be provided by extending approximately 5,300 linear feet of 8-inch PVC gravity sanitary sewer line, and 1,800 linear feet of 4-inch sanitary sewer force main, via a proposed pump station from the project and connecting to the existing sanitary sewer.

Existing sewer and water capacity is adequate to serve the proposed use and density. The proposed utility service is consistent with the land use designation of the subject property under either Alternative 1 or Alternative 2.

Under Alternative 2, no City utility service would be provided and the property would remain in the Durham and Wake County's jurisdiction.

Attachment 1A provides the draft EA that would be required if Council wishes to approve Alternative 1.

Voluntary Annexation Petition

The Administration is requesting the Council conduct a public hearing and consider annexation of the subject property with an effective date of November 19, 2012. The public hearing will be held in compliance with N.C. General Statute 160A-58.2.

Annexation would require the provision of City services to the subject property. As this area of the City continues to grow additional Fire Department services will be needed. Any new Fire Department service without funding of additional service capacity in this part of the City will exacerbate the existing level of service deficiency.

Attachment 2F (Cost/Benefit Analysis) provides additional details on capital improvements and capacity upgrades requested by the Fire Department to meet level of service standards for response time in this part of the City.

Initial Zoning

State Statutes (General Statute 160A-360) require that a municipality annexing land place its zoning designation on the property within 60 days of the effective date of the annexation. Staff is recommending an initial zoning designation of Rural Residential (RR) on the property. The RR zoning district is the least intense residential zoning district permitted in the Suburban Tier.

Financial Impact. The Department of Water Management has estimated the life-cycle costs for Alternative 1. In summary, 64% of water and sewer revenues support ongoing operational costs and 36% of revenues are dedicated to capital improvement projects to address future infrastructure needs.

A cost benefit analysis detailing the impact on the General Fund for Alternative 1 is attached which provides additional details through FY2023-24; including CIP expenses (see Attachment 2F). The analysis projects that estimated revenues will exceed estimated expenditures within the 2 year build-out window.

Alternative 1: City RR Initial Zoning (42 Single Family Homes)

The estimated annual General Fund revenues generated from this one annexation area under initial zoning at build out in FY2013-14 is \$181,554. The estimated annual expenditures associated with providing City services at build out in FY2013-14 would be \$55,177. The estimated annual net gain to the City at build out in FY2013-14 would be \$126,377. The cumulative estimated net gain to the City at build out in FY2013-14 would be \$203,652.

CIP expenses for Alternative 1 are projected in FY2014-15. This includes a proportional cost of \$28,743 (0.56%) for a new Fire Station at a total cost of \$5,150,000.

SDBE Summary. This item has no known SDBE impact.

Attachments

Utility Extension Agreement Documents

Attachment 1A: Utility Extension Agreement
Attachment 1B: Utility Context Map
Attachment 1C: Estimated Utility Life Cycle Costs (Initial Zoning)

Annexation Documents

Attachment 2A: Annexation Summary Table
Attachment 2B: Annexation Ordinance
Attachment 2C: Clerk Certification
Attachment 2D: Legal Description
Attachment 2E: Annexation Context Map
Attachment 2F: Cost / Benefit Analysis- City RR Zoning

Initial Zoning Documents

Attachment 3A: Initial Zoning Map Change Report
Attachment 3B: Initial Zoning Map Change Context Map
Attachment 3C: Initial Zoning Map Change Aerial Photography
Attachment 3D: Durham-Raleigh Annexation Agreement
Attachment 3E: Durham Planning Commission Comments
Attachment 3F: Initial Zoning Ordinance